IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 23RD MARCH 2007 / 2ND CHAITHRA 1929

OP.No. 10582 of 2002(I)

PETITIONER:

SMT.V.DEVAKI W/O.ANANDAN,VILAYIL
PARAMBIL HOUSE, ERIKKAVU P.O.,VIA.KUMARAPURAM,
ALAPPUZHA DISTRICT

BY ADV. SRI.ARIKKAT VIJAYAN MENON
SRI.HARISANKAR V. MENON

RESPONDENTS:
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1. THE SUB REGISTRAR,OFFICE OF THE
SUB REGISTRAR,HARIPAD.

2. THE DISTRICT REGISTRAR(GENERAL),
ALAPPUZHA.

BY GOVERNMENT PLEADER SMT.SMITHA

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 23/03/2007, THE COURT ON 23/03/2007 DELIVERED THE FOLLOWING:

ORDER ON C.M.P. NO.18682/2002 IN O.P. NO.10582/2002

DISMISSED:

23.3.2007 SD/-(C.N.RAMACHANDRAN NAIR, JUDGE.)

APPENDIX

PETITIONER'S EXHIBITS:

P1: COPY OF THE DOCUMENT NO.398 DT.28.2.2001.

P2: COPY OF THE ORDER OF THE DISTRICT REGISTRAR, ALAPPUZHA.

TRUE COPY

P.S. TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

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O.P. No.10582 of 2002

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Dated this the 23rd day of March, 2007.

JUDGMENT

The petitioner is challenging Ext.P2 order demanding additional stamp duty and registration charges on account of alleged undervaluation. Petitioner rightly pointed out that there was no adjudication before demand of stamp duty. Another case filed by petitioner's husband was allowed by this court vide judgment in O.P. No.10628/2002 dated 21.12.2006 directing fresh adjudication. In the circumstances, O.P. is disposed of directing the second respondent to hear the petitioner and issue detailed adjudication order giving reason for the additional demand, if any, made against the petitioner. If petitioner offers payment under the last amnesty scheme, then there will be direction to the second respondent to accept it and settle liability, provided along with the amount payable under amnesty scheme petitioner pays 12% interest per annum on such amount from due date till date of payment.

C.N.RAMACHANDRAN NAIR
Judge

pms